

City and County of Honolulu

2010 Wastewater Consent Decree

Civil No. 94-00765 DAE-KSC

Ten Year Report

August 31, 2020



Prepared by:

The Department of Environmental Services

Submitted:

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Introduction

On December 17, 2010 the Consent Decree (CD), subsequently amended on March 27, 2012, was entered among the City and County of Honolulu (CCH), the United States Environmental Protection Agency (USEPA), State of Hawaii Department of Health (DOH) and several non-governmental organizations. The CD outlines a program of improvements to the wastewater collection and treatment systems owned by CCH.

CCH submitted a Year Nine and One-Half Year report as required by Paragraph 99.a on December 31, 2019. USEPA and DOH conditionally approved that report in their letter dated April 15, 2020. The conditional approval letter required CCH to address comments by submitting a complete “Final” report by no later than June 10, 2020. CCH submitted a response addressing the comments and a final report in a letter dated June 2, 2020.

CCH has prepared this Ten Year Report pursuant to Paragraph 99.b of the CD to describe the status of CCH's compliance with the Wastewater Collection System requirements contained in the CD.

This Ten Year Report is available on CCH's web site at:

<http://www.honolulu.gov/cms-env-menu/site-env-sitearticles/801-consent-decree.html>

Per Paragraph 99.b of the CD, the intent of this Ten Year Report is to certify the following items:

- A. CCH has completed 650 miles of CCTV inspections as required by Paragraph 19;
- B. CCH has Completed Construction of 144 miles of projects as required by Paragraph 20;
- C. CCH has completed all projects identified by CCH in its *Nine and One-Half Year Report* pursuant to Paragraph 99, subparagraph a.x;
- D. There are no outstanding stipulated penalty assessments or pending dispute resolution proceedings with regard to CCH's Wastewater Collection System pursuant to the CD.

Certifications

As required by Paragraph 99 b., the following detail and certification of complete compliance with the CD Paragraphs are being provided for the Ten Year Report.

A. Paragraph 19 – CCTV Inspections

The CD requires CCH to inspect and assess 300 miles of gravity mains no later than December 17, 2013, and a total of 650 miles no later than June 30, 2020. In previous annual reports, CCH has reported compliance with these milestones. CCH certified in the Nine and One Half Year Report that as of June 30, 2019, it has inspected and assessed 1,062 miles of gravity mains.

CCH consistently has met and exceeded the minimum mileage requirements. As of June 30, 2020, CCH certifies that it has completed 1,157 miles of inspection and assessment, which exceeds the requirements of Paragraph 19. A graph of gravity mains inspected per year is included as Figure 1.

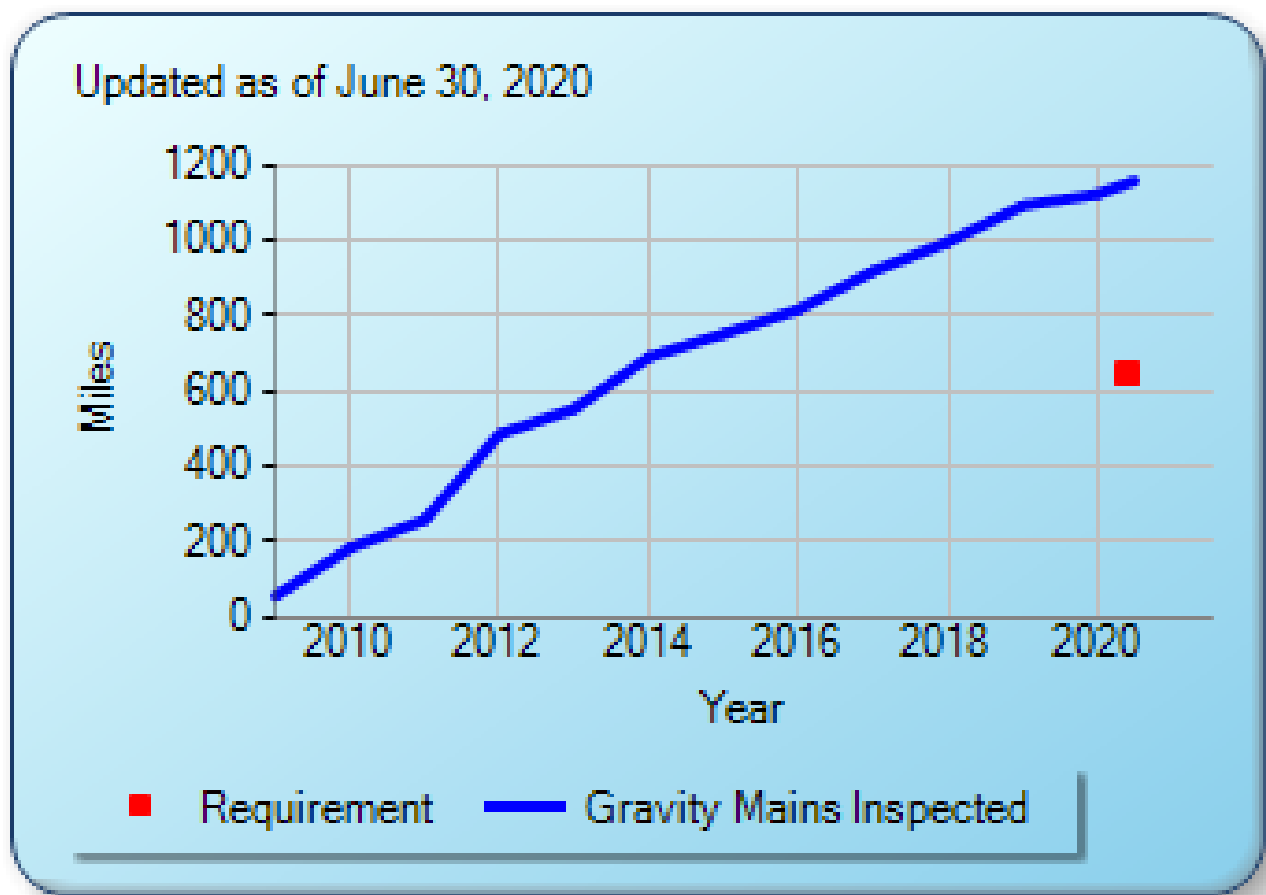


Figure 1 - Gravity Mains Inspected

B. Paragraph 20 – Gravity Main Rehabilitation and Replacement Program

The CD requires CCH to undertake a ten-year *Rehabilitation and Replacement Program* for its gravity mains. Pursuant to this Program, CCH was required to complete no less than 63 miles of Rehabilitation and Replacement projects by the end of Year Three, 11.5 miles per year for Years Four through Nine, 12 miles during Year Ten, and a total of 144 miles by no later than June 30,

2020. Paragraph 20.e allows CCH to bank miles completed in excess of those required in any year and demonstrate compliance with the annual mileage requirement through a combination of miles rehabilitated or replaced in that Year and banked miles from any previous Years.

In the Nine and One Half Year Report, CCH certified that it completed 63 miles of rehabilitation and replacement projects by the end of Year Three, with an additional 31.21 miles banked. In that Report, CCH also certified that 138.55 miles of rehabilitation and replacement projects were completed by the end of Year Nine, with an additional 37.7 miles banked.

CCH consistently has met and exceeded the minimum mileage requirements. For Year Ten, CCH certifies that it has completed 5.5 miles of rehabilitation and replacement projects, with 34 total banked miles. For the ten-year Rehabilitation and Replacement Program, CCH has completed an accumulated 178 miles of projects, which exceeds the requirements of Paragraph 20. A summary of the annual Program accomplishments, with miles banked is presented in the following table.

Table 1 - Gravity Line Rehabilitation and Replacement

Year	Miles		Banked Miles	
	Required	Rehabbed	Accrued	Balance
One – Three	63	94.2	31.2	31.2
Four	11.5	15.2	3.7	34.9
Five	11.5	18.7	7.2	42.1
Six	11.5	10.9	-0.6	41.5
Seven	11.5	9.9	-1.6	39.9
Eight	11.5	12.7	1.2	41.1
Nine	11.5	10.9	-0.6	40.5
Ten	12	5.5	-6.5	34.0
Total:	144	178	34.0	

C. Completion of Projects Pursuant to Paragraph 19, subparagraph a.x

The Nine and One-Half Year Report identified requirements from paragraphs 11.c, 12, 16 and 17.c, and 18 that remained to be completed by the end of Year Ten. The status of those projects is detailed in this section.

1. Paragraph 11.c - Force Main Spill Contingency Planning

CCH certified in the Nine and One-Half Year Report that it had complied to date with the provisions of the Force Main Spill Contingency Planning of Paragraph 11.c. All Spill Contingency Plans were submitted, approved and are being implemented as appropriate. The report identified ten Spill Contingency Plans that were being updated as a result of pertinent changed conditions to ensure the functionality of the plans and two spill drills that needed to be performed.

Spill Contingency Plan updates

The Nine and One-Half Year Report identified ten spill contingency plans that required updates. The status of the updates is provided in the following table:

Table 2 - Spill Contingency Plan Update Status

Force Main	SCP Update Status
Ewa Beach Force Main	The construction completion of the replacement of the ductile iron portion of the FM and the construction of new valving and valve box was completed by June 30, 2020. The City is currently in the process of updating the SCP.
Halawa Force Main	This plan has been updated
Kamehameha Highway Force Main	The construction completion of a new FM was completed by June 30, 2020. The City is currently in the process of updating the SCP.
Lualualei Force Main	This plan has been updated
Kailua Road Force Main	This plan has been updated
Ahuimanu Force Main	This plan has been updated
Ala Moana Force Main No. 2	This plan has been updated
Beachwalk Force Main	This plan has been updated
Hart Street Force Main	This plan has been updated
Waimalu Force Main	This plan has been updated

Spill Contingency Plan Drills

CCH certified in the Nine and One-Half Year Report that it has complied with CD Paragraph 11.c.iv requirements for spill drills for Years One through Ten. In Year Ten, CCH performed SCP Spill Drills for the Ewa Beach Force Main on 06/09/2020, and the Kamehameha Highway Force Main on 6/16/2020. CCH certifies that it has complied with the spill drill requirements of Paragraph 11.c.iv for years one through ten.

2. Paragraph 12 - Force Main Condition Assessments and Follow-Up Action Plans

Paragraph 99.a.ii requires CCH to certify that it has completed work required in the follow-up action plans to be completed by no later than June 30, 2020, as required by Paragraph 12.

In the Nine and One-Half Year Report, CCH certified that it completed work required on all of the follow-up action plans with the exception of Ewa Beach WWPS force main. The two remaining tasks were to 1) replace a ductile iron pipe section of the force main, and; 2) install pipe valves and vaults by June 30, 2020. These two tasks are complete as detailed in the following Table:

Table 3 - Ewa Beach Force Main Condition Assessment Follow-up

Requirement	Compliance Milestone	Status
Replace ductile iron pipe portion of FM.	Construction Completion: 06/30/2020	Construction Completed on 03/11/2020
Construct valving and vaults to allow for a 2 nd FM connection.	Construction Completion: 06/30/2020	Construction Completed on 03/11/2020

Based on the statuses presented above, CCH certifies that it has completed all of the work as required by the follow-up action plans by June 30, 2020

3. Paragraphs 16 and 17.c - Force Main Construction Projects

Paragraph 17.c of the CD requires CCH to continue to maintain the Kaneohe Pretreatment Facility Effluent Pump Station and Kaneohe/Kailua Force Main in good operating condition to be able to divert the flow to the existing force main if needed for a period of two years. CCH certifies that it has maintained the Pump station and force main in good operating conditions during the initial two-year operation period, which started on June 12, 2018, and was completed on June 11, 2020. CCH certifies that it has complied with Paragraphs 16 and 17.c of the CD.

4. Paragraph 18 - 1999 Sewer I/I Plan Projects Completed

The Paragraph 18 projects were conceptually developed in the 1999 Final Sewer I/I Plan and some of these projects were further developed during the planning and design phases. Sub paragraphs b, c, d and e organize the projects into 4 groups and specify compliance milestone dates of Complete Construction for each group.

Paragraph 18.f requires CCH to conduct an evaluation and develop recommendations for the projects listed in that subparagraph, and submit a report to EPA and DOH for review and approval. The approved report listed projects to be completed by June 30, 2020.

Paragraph 18.g of the Consent Decree requires CCH to continue its ongoing Wet Weather I/I Assessment update. As compliance milestones, Paragraph 18.g.ix of the Consent Decree requires CCH to complete construction of the deferred projects as necessary in the revised *Final Deferred Projects Report*, dated May 2014, as approved and prioritized for completion by no later than June 30, 2020.

Paragraph 18.b. through 18.e. Projects

CCH certified in the *Nine and One-Half Year Report* that it has complied with the requirements of Paragraphs 18.b through 18.e by completing the projects as required in those paragraphs. Note that 2 projects were moved from Paragraph 18.e. to Paragraph 18.f. as detailed in the following table.

Table 4 - Paragraph 18.e. Projects moved to Paragraph 18.f.

Requirement	DDC Serial No.	Status
SI-CS-43 Iwilei/Kalihi Kai Sewer Rehabilitation / Reconstruction (aka North King St. Relief Sewer)	06-0636	Scope moved to Paragraph 18.f, SI-PS-04 Awa Street WWPS Upgrade in the <i>Third Joint Agreement to Modify First Amended Consent Decree</i> .
SI-CS-52 Iwilei/Kalihi Kai Sewer Rehabilitation / Reconstruction (aka Dillingham Blvd.-Iwilei Structural Rehabilitation)	06-0636	Scope moved to Paragraph 18.f, SI-PS-04 Awa Street WWPS <i>Third Joint Agreement to Modify First Amended Consent Decree</i> .

Projects Requiring Further Study (Paragraph 18.f)

CCH certified in the Nine and One-Half Year Report that it has completed all of the Paragraph 18.f projects, with the following exceptions: Four of the projects, SI-CS-17, SI-CS-29, SI-CS-42 and KK-PS-10 were to be completed by June 30, 2020; Four other projects were combined into the “Awa Street Project, Milestone #1” and were to be completed by June 30, 2020; One project deadline was modified in the *Fourth Joint Agreement to Modify First Amended Consent Decree* because of unforeseen site conditions. The nine projects are detailed in the following table:

Table 5 - Paragraph 18.f. Project Status

Requirement	DDC Serial No.	Compliance Milestone	Status
SI-CS-08 Iwilei/Kalihi Kai Sewer Rehabilitation/ Reconstruction (aka Dillingham Blvd-Iwilei Relief Sewer)	06-0636	Complete Construction: 6/30/2020	Completed Construction on 6/19/2020.
SI-CS-10 Chinatown Sewer Rehabilitation (aka College Walk-30 Replacement Sewer)	08-0083	Complete Construction: 6/30/2020	Completed Construction date revised to 8/31/2021 by <i>Fourth Joint Agreement to Modify First Amended Consent Decree</i> .
SI-CS-17 Palolo Valley Sewer Rehabilitation (aka Palolo Relief Sewer)	08-0108	Complete Construction: 6/30/2020	Completed Construction on 6/27/2020
SI-CS-29 Kalihi/Nuuuanu Area Sewer Rehabilitation (southern makai portion) (aka Nuuanu Relief Sewer)	10-0212	Complete Construction: 6/30/2020	Completed Construction on 04/25/2020
SI-CS-42 Dowsett Highlands Relief Sewer	10-0212	Complete Construction: 6/30/2020	Completed Construction on 06/27/2020
SI-CS-43 Iwilei/Kalihi Kai Sewer Rehabilitation / Reconstruction (aka North King St. Relief Sewer)	06-0636	Complete Construction: 6/30/2020	Scope moved from Paragraph 18.e. to 18.f, SI-PS-04 Awa Street WWPS Upgrade in the Third Joint Agreement to Modify First Amended Consent Decree.
SI-CS-52 Iwilei /Kalihi Kai Sewer Rehabilitation / Reconstruction (aka Dillingham Blvd. – Iwilei Structural Rehabilitation)	06-0636	Complete Construction: 6/30/2020	Scope moved from Paragraph 18.e. to 18.f, SI-PS-04 Awa Street WWPS Upgrade in the Third Joint Agreement to Modify First Amended Consent Decree.

Requirement	DDC Serial No.	Compliance Milestone	Status
SI-PS-04 Awa Street WWPS Upgrade (Includes SI-CS-43 and SI-CS-52 per Third Joint Agreement to Modify First Amended Consent Decree on 6/12/2015)	10-0208	Complete Construction: 6/30/2020	Completed Construction on 06/19/2020
KK-PS-10 Kahanahou Pump Station Upgrade	08-0734	Complete Construction: 6/30/2020	Completed Construction on 06/20/2020

Awa Street Project

The Awa Street Wastewater Pump Station Upgrade Project is a consolidated project consisting of the following projects:

Milestone #1 (Complete Construction was met on June 19, 2020):

- * 18.e, SI-CS-43 Iwilei/Kalihi Kai Sewer Rehabilitation/Reconstruction (aka North King St. Relief Sewer);
- * 18.e, SI-CS-52 Iwilei/Kalihi Kai Sewer Rehabilitation/Reconstruction (aka Dillingham Blvd. – Iwilei Structural Rehabilitation);
- * 18.f, SI-CS-08 Iwilei/Kalihi Kai Sewer Rehabilitation/Reconstruction (aka Dillingham Blvd. - Iwilei Relief Sewer); and
- * 18.f, SI-PS-04 Awa Street WWPS Upgrade

Milestone #2 (Complete Construction due date is 08/31/2021):

- 18.e, SI-CS-10 Chinatown Sewer Rehabilitation (aka College Walk-30 Replacement Sewer);

As detailed in the preceding table, all projects have met the Complete Construction deadline by June 30, 2020, with the exception of SI-CS-10, which has been delayed due to unforeseen site conditions. CCH is proceeding with the best technically feasible means to ensure completion of SI-CS-10 as soon as practicable. The *Fourth Joint Agreement to Modify First Amended Consent Decree*, dated July 15, 2020, extended the deadline to complete SI-CS-10 to August 31, 2021, with the possibility of a further extension if needed.

Final Deferred Projects List (Paragraph 18.g.ix)

The Nine and One-Half Year Report identified 3 projects that were incomplete at the time of the report. All of those projects have met the Complete Construction due date by the June 30, 2020 deadline as detailed in the following table.

Table 6 -Paragraph 18.g.ix Requirements

Requirement	DDC Serial Number	Compliance Mile stone	Status
KK-CS-27 Waikapoki Relief Sewer (Windward Tributary Area)	08-0734	Complete Construction: 06/30/2020	Completed Construction: 06/27/2020 (south portion) 06/26/2020 (north portion)
SI-CS-29 Nuuanu Relief Sewer (Dowsett Highlands Relief Sewer)	16-0137	Complete Construction: 06/30/2020	Completed Construction on 04/25/2020
SI-CS-49 Waikiki Relief Sewer (Ala Moana Tributary Area)	16-0306	Complete Construction: 06/30/2020	Completed Construction on 12/10/2019.

D. Outstanding Stipulated Penalty Assessments or Pending Dispute Resolutions

There are no outstanding stipulated penalty assessments or pending dispute resolution proceedings with regard to CCH's Wastewater Collection System pursuant to the Consent Decree.

Conclusion

This Ten Year Report documents and certifies that CCH is in compliance with the requirements of Paragraph 99.a. and 99.b. of the Consent Decree, subsequently amended. The demonstrable measures that CCH has implemented include a program of improvements to the wastewater collection and treatment systems owned by CCH and are detailed in the preceding paragraphs. CCH certifies specifically:

- A. CCH has completed 1,157 miles of CCTV inspections and exceeded the requirements of Paragraph 19;
- B. CCH has Completed Construction of 178 miles of projects and exceeded the requirements of Paragraph 20;
- C. CCH has completed all projects identified by CCH in its Nine and One-Half Year Report pursuant to subparagraph a.x, with the exception of SI-CS-10, which Complete Construction due date has been modified to 8/31/2021 with the possibility of further extension pursuant to the *Fourth Joint Agreement to Modify First Amended Consent Decree*, dated July 15, 2020, and:
- D. There are no outstanding stipulated penalty assessments or pending dispute resolution proceedings with regard to CCH's Wastewater Collection System pursuant to the Consent Decree.